

Senate Engrossed

State of Arizona  
Senate  
Forty-fifth Legislature  
Second Regular Session  
2002

CHAPTER 103

# SENATE BILL 1370

AN ACT

AMENDING SECTION 17-309, ARIZONA REVISED STATUTES; RELATING TO GAME AND FISH VIOLATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 17-309, Arizona Revised Statutes, is amended to  
3 read:

4 17-309. Violations; classification

5 A. Unless otherwise prescribed by this title, it is unlawful for a  
6 person to:

7 1. Violate any provision of this title or a rule prescribed under the  
8 provisions of this title.

9 2. Take, possess, transport, buy, sell or offer or expose for sale  
10 wildlife except as expressly permitted by this title.

11 3. Destroy, injure or molest livestock, growing crops, personal  
12 property, notices or signboards, or other improvements while hunting,  
13 trapping or fishing.

14 4. Discharge a firearm while taking wildlife within one-fourth mile  
15 of an occupied farmhouse or other residence, cabin, lodge or building without  
16 permission of the owner or resident.

17 5. Take a game bird, game mammal or game fish and knowingly permit an  
18 edible portion thereof to go to waste, except as provided in section 17-302.

19 6. Take big game, except bear or mountain lion, with the aid of dogs.

20 7. Make more than one use of a shipping permit or coupon issued by the  
21 commission.

22 8. Obtain a license or take wildlife during the period for which the  
23 person's license has been revoked or suspended or the person has been denied  
24 a license.

25 9. Litter hunting and fishing areas while taking wildlife.

26 10. Possess while hunting any contrivance designed to silence, muffle  
27 or minimize the report of a firearm.

28 11. Take wildlife during the closed season.

29 12. Take wildlife in an area closed to the taking of that wildlife.

30 13. Take wildlife with an unlawful device.

31 14. Take wildlife by an unlawful method.

32 15. Take wildlife in excess of the bag limit.

33 16. Possess wildlife in excess of the possession limit.

34 17. Possess or transport any wildlife or parts of the wildlife which  
35 was unlawfully taken.

36 18. Possess or transport the carcass of big game without a valid tag  
37 being attached.

38 19. Use the edible parts of any game mammal or any part of any game  
39 bird or nongame bird as bait.

40 20. Possess or transport the carcass or parts of a carcass of any  
41 wildlife which cannot be identified as to species and legality.

42 21. Take game animals, game birds, and game fish with an explosive  
43 compound, poison or any other deleterious substances.

44 22. Import into this state or export from this state the carcass or  
45 parts of a carcass of any wildlife unlawfully taken or possessed.

1       ~~23. Conduct a fishing event or contest on public waters that requires~~  
2 ~~an entrant to register and that awards prizes, points or money unless the~~  
3 ~~person first obtains a permit from the department.~~

4       B. Unless a different or other penalty or punishment is specifically  
5 prescribed a person who violates any provision of this title, or who violates  
6 or fails to comply with a lawful order or rule of the commission, is guilty  
7 of a class 2 misdemeanor.

8       C. A person who knowingly takes any big game during a closed season  
9 or who knowingly possesses, transports or buys any big game which was  
10 unlawfully taken during a closed season is guilty of a class 1 misdemeanor.

11       D. A person is guilty of a class 6 felony if he WHO knowingly:

12       1. Barter, sells or offers for sale any big game or parts of big game  
13 taken unlawfully.

14       2. Barter, sells or offers for sale any wildlife or parts of wildlife  
15 unlawfully taken during a closed season.

16       3. Barter, sells or offers for sale any wildlife or parts of wildlife  
17 imported or purchased in violation of this title or a lawful rule of the  
18 commission.

19       4. Assists another person for monetary gain with the unlawful taking  
20 of big game.

21       E. A peace officer who knowingly fails to enforce a lawful rule of the  
22 commission or this title is guilty of a class 2 misdemeanor.

APPROVED BY THE GOVERNOR APRIL 29, 2002.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2002.

Passed the House April 23, 2002,

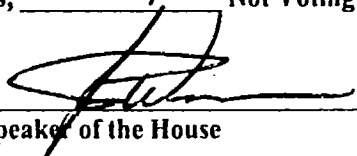
Passed the Senate March 25, 2002,

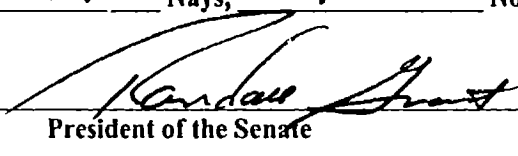
by the following vote: 53 Ayes,

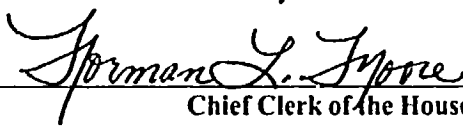
by the following vote: 27 Ayes,

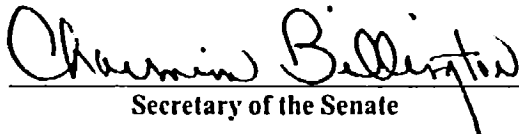
0 Nays, 7 Not Voting

2 Nays, 1 Not Voting

  
Speaker of the House

  
President of the Senate

  
Chief Clerk of the House

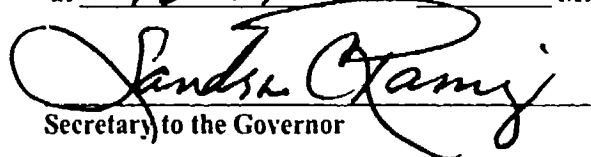
  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2002,

at 12:14 o'clock P M.

  
Secretary to the Governor

Approved this 24 day of

April, 2002,

at 12:54 o'clock P M.

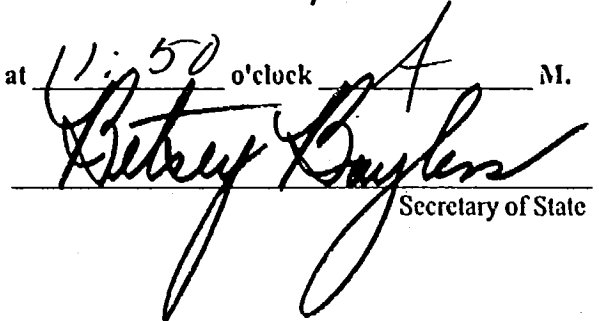
  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30 day of April, 2002,

at 11:50 o'clock A M.

  
Secretary of State

S.B. 1370